

REMARKS

The Examiner's Action mailed on March 1, 2007, has been received and its contents carefully considered. It is respectfully submitted that the present Request for Reconsideration should be entered after the present final rejection, as no amendment is made to the claims, and hence no new issues requiring further search or consideration are raised thereby. Additionally attached to this Amendment is a Petition for a One-month Extension of Time, extending the period for response to July 1, 2007.

Further, Applicant respectfully traverses the finality of the present Office Action as improper, and it is therefore respectfully requested that the finality should be withdrawn, and a new non-final Office action with a new period for reply should be presented if appropriate.

Please refer to MPEP §706.07(a), which states in pertinent part: "Under present practice, second or any subsequent actions on the merits shall be final, *except* where the examiner introduces a new ground of rejection that is *neither* necessitated by applicant's amendment of the claims *nor* based on information submitted in an information disclosure statement filed during the period set forth in 37 CFR 1.97(c) with the fee set forth in 37 CFR 1.17(p)" (*emphasis added*).

The present Office Action includes new grounds of rejection of the previously allowed claims based on newly cited art that was not submitted in an IDS, and the new grounds of rejection were not necessitated by Applicant's previous Amendment, which merely cancelled claims. Cancellation of claims can

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never necessitate new grounds of rejection, as no new issues of patentability can ever be raised by so doing. Consequently, the present Office Action fully meets the criteria of the exception detailed in the MPEP, and should not have been made final.

In this Response, Applicants have made no amendment. Claim 1 is the sole independent claim, and claims 1-5 are pending in the application. For at least the following reasons, it is submitted that this application is in condition for allowance.

Claims 1-5 and 6 were rejected under 35 U.S.C. §103(a) as obvious over the combination of *Sabo* (US 6,803,744 B1) with "Introduction to Power Electronics", Daniel W. Hart (Prentice Hall, Upper Saddle River, New Jersey; ISBN 0-02-351182-6) pp. 137-141, henceforth *Hart*, and claims 1 and 6-8 were rejected under 35 U.S.C. §103 (a) as obvious over the combination of *Sabo* with *Hulman* (US 5,367,242) and *Hart*. The rejections are respectfully moot with respect to claims 6-8, as claims 6-8 have been cancelled, and each of the rejections is respectfully traversed with respect to claims 1-5.

Hart is not admissible as prior art, as it lacks a publication date. Please refer to MPEP §706.02(a)I : "The Examiner *must* determine the issue or publication date of the reference so that a proper comparison between the application and the reference dates can be made" (*emphasis added*). Although a date was given on the Form PTO-892, no evidence of this publication date has been provided.

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Consequently, as both the above rejections rely on *Hart*, they cannot stand, and it is respectfully requested that the above rejections should both be withdrawn or evidence provided to prove that *Hart* is timely, such as for example a copyright page, other dated page, or a stamped page showing a date of receipt.

Regarding claim 1, the integrated induction battery charge apparatus includes "a detection module located on the charge end to detect the charge battery and to generate a start signal when the charge battery is detected". Also, referring to page 3, lines 11-19: "The detection module **10** is located at a charging end **50**, to send a detection signal to a battery end **100** and receive a response signal, to indicate the presence of the charge battery **90**, and generate an activation signal to start the charging process. The module uses the detection approach to control the electromagnetic induction charge process and to prevent the charging end **50** from continuously sending out induction electromagnetic waves when the charging process stops. Further, it uses the detection approach to avoid causing interference to the signal transmission or receiving devices in the surrounding area, and also to avoid causing a harmful effect to the human body. The detection module **10** detects by electromagnetic induction or piezoelectric induction".

However, referring to FIG. 1 and column 2, lines 61-67 of *Sabo*: "The inductors **6** are connected with an electrical conductor **8** which in turn is connected with a power supply **10**. In addition, an electrical switch **12** is connected between

each inductor **6** and the conductor **8** so that the primary inductors can be selectively activated. For example, in FIG. 1, four inductors **6** are shown, but only the first and fourth have their switches closed to supply power thereto for activation". The user has to turn off the switch **12** by hand operation. If this is forgotten, it wastes power and continuously sends out induction electromagnetic waves when the charging process stops.

In the present invention as recited in claim 1, the module can detect the charge battery and generate a start signal when the charge battery is detected. *Sabo* does not disclose or teach this.

Further, *Hart* and *Hulman* also fail to show "a detection module located on the charge end to detect the charge battery and to generate a start signal when the charge battery is detected".

Hart is apparently relied upon solely for the filter module in FIG. 4.18 on p. 141, and the Office Action does not allege that *Hart* shows the above feature.

However, the Office Action does allege that *Hulman* shows this feature at **8** and **18** in FIG. 1 thereof. Both these drawing elements are functional blocks marked "detect. circuit", the operation of which is described in column 4, lines 1-36 as follows:

Detection circuits 8 and 18 serve to detect the presence of the portable unit 2 in the rack 1. In a simplest embodiment they comprise a switch which switches over upon movement of the portable unit 2 into or out of the rack 1. The connection between the detection circuit 8 and the coil 4 is then omitted, and instead of the resistor 9 a through-connection can be used. The connections of the detection circuit 18 to a

rectifying/filter circuit 10 can then also be omitted. In the embodiment shown, the detection circuits 8 and 18 detect a voltage change.

If coil 5 is in the vicinity of coil 4, coil 4 will generate an alternating magnetic field in coil 5 which generates an alternating voltage across coil 5, thereby generating a direct voltage across the outputs of the rectifying/filter circuit 10. *When the detection circuit 18 detects a voltage, it delivers a detection signal to the control circuit 15, which in response thereto, delivers a modulation signal to the modulator 11 for the purpose of modulating the direct voltage by loading it to a greater or lesser extent, as a result of which the alternating voltage across the coil 5 is loaded to a greater or lesser extent, and consequently the voltage across the resistor 9 changes in accordance with the modulation signal delivered to the modulator 11, this being detected by the detection circuit 8 and signalled to the control circuit 6.*

If the portable unit 2 is placed in the rack 1, but the unit 2 for whatever reason does not transmit a message by modulating the alternating voltage across the coil 5, the coil 5 and the rest of the circuit of the portable unit 2 connected to said coil will still form a load for the coil 4, as a result of which the voltage over the resistor 9 changes, and consequently the detection circuit 8 is able to detect the placement (and the removal) of the portable unit 2 in the rack 1 and can signal said placement or removal to the control circuit 6.

(emphasis added)

The detection circuit of *Hulman* is used to generate a modulation signal to the modulator *for the purpose of modulating* the direct voltage, and *Hulman* does not disclose generating "a start signal when the charge battery is detected" as recited in claim 1.

Hulman mentions above re the detection circuits 8 and 18 that "In a simplest embodiment they comprise a switch which switches over upon movement of the portable unit 2 into or out of the rack 1", but does not disclose or teach anything about this switch.

Accordingly, it is respectfully submitted that "a detection module located on the charge end to detect the charge battery *and to generate a start signal* when

the charge battery is detected” (*emphasis added*) as recited in independent claim 1 is neither taught nor suggested by either *Sabo*, *Hulman* or *Hart*, whether taken separately or in combination.

Consequently, claim 1, and claims 2-5 that depend therefrom, patentably define over the art of record and are allowable.

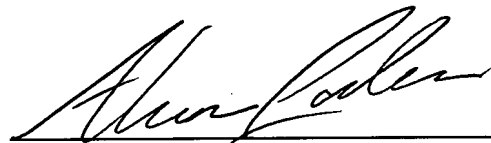
Claim 13 was rejected under 35 U.S.C. §103(a) as obvious over the combination of *Sabo* with *Hulman*, *Hart* and *Kuennen et al.* (US 6,825,620 B2). This rejection is respectfully moot, as claim 13 has been cancelled.

It is submitted that this application is in condition for allowance. Such action and the passing of this case to issue are requested.

Should the Examiner feel that a conference would help to expedite the prosecution of this application, the Examiner is hereby invited to contact the undersigned counsel to arrange for such an interview.

Should any fee be required, however, the Commissioner is hereby authorized to charge the fee to our Deposit Account No. 18-0002, and advise us accordingly.

Respectfully submitted,



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